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STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

July 25, 2003

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1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East 14th Street**
4 **Des Moines, Iowa 50319-0147**

5
6 **Motions**

7
8 **July 25, 2003**
9
10

11 Anita Westerhaus moved, with a second by William Haigh, that the Board go
12 into closed session for the purposes of discussing whether to initiate licensee
13 disciplinary proceedings and discussing the decision to be rendered in a
14 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).

15 **MOTION CARRIED UNANIMOUSLY.**
16

17 William Haigh moved, with a second by Anita Westerhaus, that in case number
18 **02-22**, the Board not initiate review of the proposed decision and allow the
19 proposed decision to become the final decision of the Board unless an appeal
20 is taken by one of the parties within the time allowed by rule. Roll call vote:
21 Jeffrey – yes; Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;
22 Chen – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION**
23 **CARRIED UNANIMOUSLY.**
24

25 Anita Westerhaus moved, with a second by William Haigh, that in case number
26 **02-31**, the Board acknowledge the withdrawal of the complaint and dismiss the
27 case without further proceedings. Roll call vote: Haigh – yes; Paulsen – yes;
28 Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes; Aboud – yes;
29 Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**
30

31 William Haigh moved, with a second by Anita Westerhaus, that in case number
32 **03-06**, the Board find probable cause to establish a violation of one or more of
33 the criteria for professional practices and competent performance established
34 by this Board and order this case set for hearing. Roll call vote: Jeffrey – yes;
35 Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; Chen – yes;

1 Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
2 **UNANIMOUSLY.**

3
4 Anita Westerhaus moved, with a second by William Haigh, that in case number
5 **03-10**, the Board find probable cause to establish a violation of one or more of
6 the criteria for professional practices and competent performance established
7 by this Board and order this case set for hearing. Roll call vote: Haigh – yes;
8 Paulsen – yes; Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes;
9 Aboud – yes; Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED**
10 **UNANIMOUSLY.**

11
12 William Haigh moved, with a second by Anita Westerhaus, that in case number
13 **03-03**, the Board extend the 180-day deadline for issuance of the final decision,
14 due to the need for additional time to conduct a hearing, prepare a proposed
15 decision, and review the proposed decision by the Board. Roll call vote: Jeffrey
16 – yes; Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; Chen – yes;
17 Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
18 **UNANIMOUSLY.**

19
20 Judy Jeffrey moved, with a second by John Aboud, to approve the June 13-14,
21 2003, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

22
23 Jacqueline Wellborn moved, with a second by John Aboud, to adopt and file the
24 proposed changes to Chapter 14 that clarify for individuals who renew the
25 substitute authorization annually that the completion of child and dependent
26 adult abuse training is required every five years rather than every year. Roll
27 call vote: Haigh – yes; Paulsen – yes; Chen – yes; Westerhaus – yes; Wellborn –
28 yes; Seeland – yes; Aboud – yes; Jeffrey – yes; and Hathaway – yes. **MOTION**
29 **CARRIED UNANIMOUSLY.**

30
31 John Aboud moved, with a second by Anita Westerhaus, to adopt and file the
32 proposed changes to Chapter 21 that clarify for individuals who renew the
33 behind-the-wheel driving instructor authorization annually that the completion

1 of child and dependent adult abuse training is required every five years rather
2 than every year. Roll call vote: Jeffrey – yes; Aboud – yes; Seeland – yes;
3 Wellborn – yes; Westerhaus – yes; Chen – yes; Paulsen – yes; Haigh – yes; and
4 Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

5
6 Ying Ying Chen moved, with a second by Judy Jeffrey, to adopt and file the
7 proposed changes to Chapter 17 that provide a mechanism for an administrator
8 to add the evaluator endorsement to the administrator's license and include a
9 pro-rated fee chart for the conversion. Roll call vote: Haigh – yes; Paulsen –
10 yes; Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes; Aboud – yes;
11 Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

12
13 John Aboud moved, with a second by Anita Westerhaus, to file under Notice
14 of Intended Action, the proposed paraeducator rules in Chapter 22 that require
15 competencies in reading, writing and mathematics; strike reference to
16 instruction of students; add a School Library Media—PK-12 area of
17 concentration; and expand options for renewal requirements. Roll call vote:
18 Haigh – yes; Paulsen – yes; Chen – yes; Westerhaus – yes; Wellborn – yes;
19 Seeland – yes; Aboud – yes; Jeffrey – yes; and Hathaway – yes. **MOTION**
20 **CARRIED UNANIMOUSLY.**

21
22 Jean Seeland moved, with a second by William Haigh, that **in PFW 03-06,**
23 Cynthia M. Stiner, the Board grant the Petition for Waiver. **MOTION CARRIED**
24 **UNANIMOUSLY.**

25
26 John Aboud moved, with a second by Judy Jeffrey, that that **in PFW 03-07,**
27 Teresa J. Nook, the Board grant the Petition for Waiver. **MOTION CARRIED**
28 **UNANIMOUSLY.**

29
30 John Aboud moved, with a second by Anita Westerhaus, that **in PFW 03-08,**
31 James D. Loonan, the Board grant the Petition for Waiver. **MOTION CARRIED**
32 **UNANIMOUSLY.**

- 1 Judy Jeffrey moved, with a second by John Aboud, that **in PFW 03-09**, Daniel
- 2 D. Dow, the Board grant the Petition for Waiver. **MOTION CARRIED**
- 3 **UNANIMOUSLY.**

1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East Grand**
4 **Des Moines, Iowa 50319-0147**

5
6 **Minutes**
7 **July 25, 2003**
8

9 The Board of Educational Examiners held its monthly meeting on July 25,
10 2003. The meeting was called to order by the Board Chair, Peter Hathaway, at
11 8:34 a.m. Members attending were John Aboud, Ying Ying Chen, William
12 Haigh, Peter Hathaway, Judy Jeffrey, Thomas Paulsen, Jean Seeland,
13 Jacqueline Wellborn and Anita Westerhaus. Also in attendance were Dr. Anne
14 Kruse, Executive Director of the Board; Christie Scase and Jeanie Vaudt,
15 Assistant Attorneys General and legal counsel to the Board; Barbara
16 Hendrickson, Board Secretary; and other visitors. Ms. Vaudt joined the
17 afternoon session at 12:49 p.m.

18
19 Anita Westerhaus moved, with a second by William Haigh, that the Board go
20 into closed session for the purposes of discussing whether to initiate licensee
21 disciplinary proceedings and discussing the decision to be rendered in a
22 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).

23 **MOTION CARRIED UNANIMOUSLY.**
24

25 The Board reconvened into open session at 9:21 a.m.
26

27 William Haigh moved, with a second by Anita Westerhaus, that in **case number**
28 **02-22**, the Board not initiate review of the proposed decision and allow the
29 proposed decision to become the final decision of the Board unless an appeal is
30 taken by one of the parties within the time allowed by rule. Roll call vote:
31 Jeffrey – yes; Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;
32 Chen – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION**
33 **CARRIED UNANIMOUSLY.**

1 Anita Westerhaus moved, with a second by William Haigh, that in **case number**
2 **02-31**, the Board acknowledge the withdrawal of the complaint and dismiss the
3 case without further proceedings. Roll call vote: Haigh – yes; Paulsen – yes;
4 Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes; Aboud – yes;
5 Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

6
7 The Board did not act in **case number 98-12**.

8
9 William Haigh moved, with a second by Anita Westerhaus, that in **case number**
10 **03-06**, the Board find probable cause to establish a violation of one or more of
11 the criteria for professional practices and competent performance established
12 by this Board and order this case set for hearing. Roll call vote: Jeffrey – yes;
13 Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; Chen – yes;
14 Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
15 **UNANIMOUSLY.**

16
17 Anita Westerhaus moved, with a second by William Haigh, that in **case number**
18 **03-10**, the Board find probable cause to establish a violation of one or more of
19 the criteria for professional practices and competent performance established
20 by this Board and order this case set for hearing. Roll call vote: Haigh – yes;
21 Paulsen – yes; Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes;
22 Aboud – yes; Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED**
23 **UNANIMOUSLY.**

24
25 William Haigh moved, with a second by Anita Westerhaus, that in **case number**
26 **03-03**, the Board extend the 180-day deadline for issuance of the final decision,
27 due to the need for additional time to conduct a hearing, prepare a proposed
28 decision, and review the proposed decision by the Board. Roll call vote: Jeffrey
29 – yes; Aboud – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; Chen – yes;
30 Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
31 **UNANIMOUSLY.**

1 Judy Jeffrey moved, with a second by John Aboud, to approve the June 13-14,
2 2003, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

3
4 Board Member Judy Jeffrey reminded the Board of recent legislation requiring
5 an evaluation of student teachers under the new teacher quality standards.
6 Staff at the Department of Education have put together a process that they
7 believe will work well for teacher preparation institutions. They have put
8 together a self-evaluation on the Iowa standards. The student teacher will do a
9 self-assessment and then meet with the supervising teacher to discuss the
10 standards. It is a mock evaluation, believed to meet the intent of the law, and it
11 does not put a significant burden on the teacher preparation institution.

12
13 Board Chair Peter Hathaway asked if there were any public comments. There
14 were none.

15
16 The Board agreed upon the following meeting dates for fiscal year 2004:
17 September 12, October 17, November 14, and December 12, 2003, and January
18 16, February 5, March 5, April 2, and May 6, 2004. Board retreat dates of June
19 24-25, 2004, and a board meeting date of July 30, 2004, were proposed and
20 will be confirmed or adjusted at a future meeting.

21
22 Executive Director Dr. Anne Kruse reported briefly on a number of issues:

- 23 1) Temporary staff continue to assist with the processing workload.
- 24 2) The September board meeting will be the planned joint one with the
25 Board of Education, with social time from 7:45 a.m. to 8:15 a.m. and
26 discussion of issues from 8:15 a.m. to 10:00 a.m.
- 27 3) The SOLUTIONS, Inc. consultants turned in their workshop report and
28 had a conference with Dr. Kruse.
- 29 4) Dr. Kruse passed around a post card that invited the public to an Iowa
30 Virtual School Program Parent Information Session to be held August
31 11-14 at four different locations in the state. The program advertises “a
32 tuition-free, comprehensive education program that provides you with
33 everything you need for an excellent education at home.” Board Member

1 Judy Jeffrey added comments and answered questions about some
2 particulars from the perspective of the Department of Education.

3 5) The General Accounting Office (GAO) released its summary of the No
4 Child Left Behind Act, including results of interviews with
5 representatives of eight states, of which Iowa was one.

6 6) Dr. Kruse distributed charts on the status of conditional licenses.
7

8 The Board next looked at four sets of proposed rules that generated no
9 additional discussion. Jacqueline Wellborn moved, with a second by John
10 Aboud, to adopt and file the proposed changes to Chapter 14 that clarify for
11 individuals who renew the substitute authorization annually that the
12 completion of child and dependent adult abuse training is required every five
13 years rather than every year. Roll call vote: Haigh – yes; Paulsen – yes; Chen –
14 yes; Westerhaus – yes; Wellborn – yes; Seeland – yes; Aboud – yes; Jeffrey – yes;
15 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**
16

17 John Aboud moved, with a second by Anita Westerhaus, to adopt and file the
18 proposed changes to Chapter 21 that clarify for individuals who renew the
19 behind-the-wheel driving instructor authorization annually that the completion
20 of child and dependent adult abuse training is required every five years rather
21 than every year. Roll call vote: Jeffrey – yes; Aboud – yes; Seeland – yes;
22 Wellborn – yes; Westerhaus – yes; Chen – yes; Paulsen – yes; Haigh – yes; and
23 Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**
24

25 Ying Ying Chen moved, with a second by Judy Jeffrey, to adopt and file the
26 proposed changes to Chapter 17 that provide a mechanism for an administrator
27 to add the evaluator endorsement to the administrator's license and include a
28 pro-rated fee chart for the conversion. Roll call vote: Haigh – yes; Paulsen –
29 yes; Chen – yes; Westerhaus – yes; Wellborn – yes; Seeland – yes; Aboud – yes;
30 Jeffrey – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**
31

32 John Aboud moved, with a second by Anita Westerhaus, to file under Notice of
33 Intended Action the proposed paraeducator rules in Chapter 22 that require

1 competencies in reading, writing and mathematics; strike reference to
2 instruction of students; add a School Library Media—PK-12 area of
3 concentration; and expand options for renewal requirements. Roll call vote:
4 Haigh – yes; Paulsen – yes; Chen – yes; Westerhaus – yes; Wellborn – yes;
5 Seeland – yes; Aboud – yes; Jeffrey – yes; and Hathaway – yes. **MOTION**
6 **CARRIED UNANIMOUSLY.**

7
8 Assistant Attorney General and legal counsel to the Board Christie Scase then
9 guided the Board in a discussion of issues to be addressed in adopting
10 administrative rules implementing House File 549, which requires local school
11 and AEA officials to report to the Board contract terminations and nonrenewals
12 based upon certain misconduct and resignations as a result of, or following, an
13 incident or allegation of certain misconduct. Rules will appear in draft form at
14 an upcoming board meeting.

15
16 The Board recessed from 10:29 a.m. to 10:46 a.m.

17
18 Cynthia M. Stiner sought a waiver of the requirement for three years of
19 elementary teaching experience prior to issuance of an elementary
20 administrator license. She holds a secondary administrator license with
21 endorsements to serve as a secondary level principal and evaluator, and a
22 master educator teaching license with secondary home economics and
23 consumer/homemaking endorsements. She has 26 years of educational
24 experience, including 15 years teaching Consumer and Family Science at
25 the 7-12 level. Recent legislation requires revision of current Board rules and
26 obligates the Board to disregard the level of teaching experience when
27 processing an application for a school administrator's license. Jean Seeland
28 moved, with a second by William Haigh, that **in PFW 03-06**, Cynthia M. Stiner,
29 the Board grant the Petition for Waiver. **MOTION CARRIED UNANIMOUSLY.**

30
31 Teresa J. Nook sought a waiver of the requirement for three years of elementary
32 teaching experience prior to issuance of an elementary administrator license.
33 She holds a professional administrator license with endorsements for secondary

1 principal, superintendent, and evaluator, and a permanent professional
2 teaching license with endorsements for secondary speech and geography.
3 She has 23 years of educational experience, including 19 years as a classroom
4 teacher at the 7-12 level and 4 as an administrator. She served last year as
5 middle school administrator and, due to re-alignment, is being asked to serve at
6 elementary level as well. Recent legislation requires revision of current Board
7 rules and obligates the Board to disregard the level of teaching experience when
8 processing an application for a school administrator's license. John Aboud
9 moved, with a second by Judy Jeffrey, that that **in PFW 03-07**, Teresa J. Nook,
10 the Board grant the Petition for Waiver. **MOTION CARRIED UNANIMOUSLY.**

11
12 James D. Loonan sought a waiver of the requirement for three years of
13 elementary teaching experience prior to issuance of an elementary
14 administrator license. He holds a secondary level administrator license with
15 endorsements for secondary principal and evaluator, and a permanent
16 professional teaching license with an endorsement for secondary industrial
17 arts. He has 21 years of secondary level teaching experience and 5 years of
18 administrative experience. He currently serves as middle school principal and,
19 due to re-alignment, is being asked to serve as K-8 principal. Recent legislation
20 requires revision of current Board rules and obligates the Board to disregard
21 the level of teaching experience when processing an application for a school
22 administrator's license. John Aboud moved, with a second by Anita
23 Westerhaus, that **in PFW 03-08**, James D. Loonan, the Board grant the Petition
24 for Waiver. **MOTION CARRIED UNANIMOUSLY.**

25
26 Daniel D. Dow sought a waiver of the requirement for three years of elementary
27 teaching experience prior to issuance of an elementary administrator license.
28 He holds a standard license with endorsements for secondary biology and
29 physical education. He has 16 years of secondary level teaching experience.
30 He is being considered for a PK-6 principal position. Recent legislation requires
31 revision of current Board rules and obligates the Board to disregard the level of
32 teaching experience when processing an application for a school administrator's
33 license. Judy Jeffrey moved, with a second by John Aboud, that **in PFW 03-09**,

1 Daniel D. Dow, the Board grant the Petition for Waiver. **MOTION CARRIED**
2 **UNANIMOUSLY.**

3

4 The Board then continued its detailed analysis of revisions to Chapters 12 and
5 13 of the Board's administrative rules, begun at a prior board meeting.

6

7 The Board recessed for lunch at 11:48 a.m. and reconvened at 12:36 p.m.

8

9 The Board resumed discussion of proposed changes to the administrative rules.

10

11 There being no further business, Board Chair Peter Hathaway adjourned the
12 meeting at 2:04 p.m.